



General Assembly

January Session, 2009

**Committee Bill No. 5019**

LCO No. 3646

\*03646HB05019INS\*

Referred to Committee on Insurance and Real Estate

Introduced by:  
(INS)

**AN ACT PROHIBITING THE USE OF A PRESCRIPTION DRUG HISTORY AS AN UNDERWRITING TOOL TO DENY INDIVIDUAL HEALTH INSURANCE COVERAGE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (h) of section 38a-481 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2009*):

4 (h) No insurance company, fraternal benefit society, hospital service  
5 corporation, medical service corporation, health care center or other  
6 entity [which] that delivers, issues for delivery, amends, renews or  
7 continues an individual health insurance policy in this state on or after  
8 [October 1, 2003, may] January 1, 2010, shall: (1) [move] Move an  
9 insured individual from a standard underwriting classification to a  
10 substandard underwriting classification after the policy is issued; [or]  
11 (2) increase premium rates due to the claim experience or health status  
12 of an individual who is insured under the policy, except that the entity  
13 may increase premium rates for all individuals in an underwriting  
14 classification due to the claim experience or health status of the  
15 underwriting classification as a whole; or (3) use an individual's

16 history of taking a particular prescription drug as a factor in its  
17 underwriting unless such history derives directly from a medical  
18 diagnosis of an underlying condition.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	38a-481(h)

**Statement of Purpose:**

To prohibit the use of an individual's prescription drug history as a factor in underwriting an individual health insurance policy unless such history derives directly from a medical diagnosis of an underlying condition.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. NARDELLO, 89th Dist.; REP. KIRKLEY-BEY, 5th Dist.

H.B. 5019